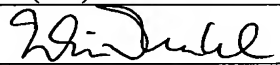





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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/010,390
		Filing Date	November 5, 2001
		First Named Inventor	Wei et al.
		Group Art Unit	1661
		Examiner Name	A. Para
Total Number of Pages in This Submission	2	Attorney Docket Number	21829/111 (EBC-009)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply (\$_____) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (\$_____) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$_____) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/ Incomplete Application (\$_____) <input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$_____) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$_____) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Notice of Appeal and Request for Three-Month Extension of Time) (\$760) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Check in the amount of \$ <u>760</u>
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600
Signature	 Registration No. 40,087
Date	December 16, 2004

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PATENT
Docket No.: 21829/111 (EBC-009)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Wei et al.)	Examiner:
)	A. Para
Serial No.	:	10/010,390)	
)	Art Unit:
Cnfrm. No.	:	4469)	1661
)	
Filed	:	November 5, 2001)	
)	
For	:	METHODS OF INHIBITING DESICCATION)		
		OF CUTTINGS REMOVED FROM)	
		ORNAMENTAL PLANTS)	

NOTICE OF APPEAL
AND
REQUEST FOR THREE-MONTH EXTENSION OF TIME

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated June 16, 2004, finally rejecting claims 1-5, 7, 18-22, 75-79, 81-85, 90 and 93-99 and objecting to claims 6, 18, 23, 80 and 98.

Applicants hereby request an extension of time of three months from the due date of December 15, 2004.

Enclosed is a check in the amount of \$760, which covers the \$250 cost of the appeal fee and the \$510 cost of the extension of time. Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

12/21/2004 MBERHE 00000035 10010390

01 FC:2253
02 FC:2401

510.00 OP
250.00 OP

Respectfully submitted,

Dated: December 16, 2004

Edwin V. Merkel
Registration No. 40,087

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